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7 3A ENTERTAINMENT LTD. and LABCROFT LTD.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

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12 3A ENTERTAINMENT LTD. and LABCROFT  
LTD.,

13 Plaintiffs,  
14 v.  
15 CONSTANT ENTERTAINMENT, INC. and  
16 PHILIP HO,  
17 Defendants.

Case No. CV 08-1274 PVT

**SUPPLEMENTAL  
DECLARATION OF ALEXEI  
KLESTOFF IN SUPPORT OF  
REQUEST TO ENTER DEFAULT**

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19 I, Alexei Klestoff, declare as follows:

20 1. I am an attorney licensed to practice law in the State of California and am admitted  
21 to practice before this Court. I am associated with the law firm of Morrison & Foerster LLP,  
22 counsel of record for plaintiffs in this action. I make this declaration based on personal  
23 knowledge. If called as a witness, I would testify to the following facts:

24 2. Based on the results of investigation done at my request, I have determined that  
25 defendant Philip Ho is not in the military service so as to be entitled to the benefits of the  
26 Servicemembers Civil Relief Act (50 U.S.C. App. § 501 *et seq.*).

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SUPPLEMENTAL DECLARATION OF A. KLESTOFF ISO REQUEST TO ENTER DEFAULT  
Case No. CV 08-1274 PVT

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct

3 Executed in San Francisco, California on the 18th day of April, 2008.

4 /s/ Alexei Klestoff

5 Alexei Klestoff

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